

REMARKS

In the Office Action dated April 23, 2002, the Examiner rejected claims 1, 2, 12, 13, 23, 24, 35, 36, 43-45, 48, and 50 under 35 U.S.C. § 102(b) as being anticipated by Ahlstrom et al. (U.S. Patent No. 4,862,357); rejected claims 3-8, 10, 14-19, 21, 25-30, 32, 46, 47, 49, and 51 under 35 U.S.C. § 103(a) as being unpatentable over Ahlstrom et al. (U.S. Patent No. 4,862,357) in view of DeLorme et al. (U.S. Patent No. 5,948,040); and rejected claims 11, 22, 33, 34, and 37-42 under 35 U.S.C. § 103(a) as being unpatentable over Ahlstrom et al. (U.S. Patent No. 4,862,357) in view of DeLorme et al. (U.S. Patent No. 5,948,040), in further view of Walker et al. (U.S. Patent No. 5,897,620).

By this response, Applicants respectfully traverse the rejections of claims 1-8, 10-19, 21-30, and 32-51 under 35 U.S.C. §§ 102(b) and 103(a).

Ahlstrom et al. teaches computer reservation system that receives a starting and final destination from a user to determine an optimum itinerary. The system processes city pairs that make up legs of a journey between the starting and final destinations to determine the most economical travel option for the user. In contrast, claim 1 recites, among other things, identifying at least one alternative originating or destination location. The city pairs evaluated by Ahlstrom et al. are stops included in a journey that may include a plurality of legs between a starting and final location. Further, the intermediate stops identified by the user in Ahlstrom et al. are "not considered a starting or ending point of one leg of a journey" and therefore are not identified as alternative originating or destination locations (see Ahlstrom et al., col. 2, lines 59-61).

Additionally, claim 1 is distinguishable from Ahlstrom et al. because the reference does not teach generating a report including a value for each alternative itinerary reflecting a savings

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in travel costs in comparison with the travel itinerary reflected in a user request. The Examiner argued that because Ahlstrom et al. teaches comparing the results of cost evaluations associated with various itineraries, the savings associated with the evaluations are inherently calculated. The calculation of savings, however, is not the same as generating a report including a value for each alternative itinerary reflecting a savings in travel costs in comparison with an itinerary reflected by a user request, as recited in claim 1. For example, Ahlstrom et al. presents alternative flights/fares for city pairs that may include score values computed for each alternative flight/fare. Ahlstrom et al. does not, however, teach a savings value as recited in claim 1. For exemplary purposes only, Applicants refer the Examiner to a non-limiting example of the report described on page 17 of Applicants' specification. As shown, the exemplary report includes a "Savings" value that reflects a savings in travel costs in comparison with a travel itinerary reflected by a user request. Ahlstrom et al. does not generate or provide a report including such savings values and therefore fails to teach the recitations of claim 1.

Because Ahlstrom et al. fails to teach the recitations of claim 1, Applicants request that the rejection of this claim under 35 U.S.C. § 102(b) be withdrawn and the claim allowed.

Claims 12, 23, and 36 include recitations similar to those recited in claim 1. As explained, claim 1 is distinguishable over Ahlstrom et al. Accordingly, claims 12, 23, and 36 are also distinguishable over Ahlstrom et al. for at least the same reasons set forth for claim 1 and Applicants request that the rejection of these claims under 35 U.S.C. § 102(b) be withdrawn and the claims allowed.

Regarding claim 35, the Examiner rejected this claim for the same reasons set forth for claim 1. Claim 35, however, includes recitations not recited in claim 1. For example, claim 35 recites, among other things, "a supplier interface for receiving availability price requests from

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the server and for providing availability price responses from a plurality of service providers with information on service provider travel itineraries and respective values of the service provider travel itineraries.” Accordingly, Applicants submit that the rejection of claim 35 is improper because the Examiner failed to address all of the recitations of this claim. Further, claim 35 is distinguishable from Ahlstrom et al. because the reference does not teach or even suggest a supplier interface for receiving availability price requests and providing price response as recited in the claim. Therefore, Applicants request that the rejection of claim 35 under 35 U.S.C. 102(b) be withdrawn and the claim allowed.

Regarding claim 43, the Examiner also rejected this claim for the same reasons set forth for claim 1. Claim 43, however, includes recitations not recited in claim 1. For example, claim 43 recites, among other things, “at least one alternative itinerary including an alternate originating location or destination that is different than the originating location or destination included in the request.” Accordingly, Applicants submit that the rejection of claim 43 is improper because the Examiner failed to address all of the recitations of this claim. Further, claim 43 is distinguishable from Ahlstrom et al. because the reference does not teach or even suggest alternative originating or destination locations. Instead, Ahlstrom et al. discloses processing city pairs that are included in a journey between a starting and final location which are not alternative origination or destination locations. Because Ahlstrom et al. does not teach the recitations of claim 43, Applicants request that the rejection of this claim under 35 U.S.C. § 102(b) be withdrawn and the claim allowed.

Regarding claim 2, the Examiner argued that Ahlstrom et al. teaches displaying a difference between the value for the requested travel itinerary and the determined alternate itineraries. Applicants respectfully disagree. Although Ahlstrom et al. may take into

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consideration temporal constraints to rank itineraries, the reference does not teach displaying a value for the requested travel itinerary and alternate itineraries, as well as a difference between the value for the travel itinerary and each of the alternate itineraries, as recited in claim 2.

Because Ahlstrom et al. does not teach the recitations of claim 2, Applicants request the rejection of this claim under 35 U.S.C. § 102(b) be withdrawn and the claim allowed.

Claims 13 and 24 include recitations similar to those of claim 2. As explained, claim 2 is distinguishable over Ahlstrom et al. Accordingly, claims 13 and 24 are also distinguishable from Ahlstrom et al. for at least the same reasons set forth for claim 2 and Applicants request that the rejection of these claims under 35 U.S.C. § 102(b) be withdrawn and the claims allowed.

Claim 44 is distinguishable from Ahlstrom et al. because the reference does not teach, among other things, determining a set of alternate itineraries that are each associated with a route between an alternate location and either the origination or destination location included in a user request. Instead, Ahlstrom et al. discloses processing city pairs that are included in a specified journey between a starting and final location. The processing involves analyzing alternative flight/fares that are associated with the city pairs. Consequently, the alternative itineraries processed by Ahlstrom et al. do not include alternate locations as recited in claim 44. For example, Fig. 7 of Applicants' specification shows two alternate routes, 710 and 720 that may be determined based on a user request. In contrast, Ahlstrom et al. processes city pairs in a specified single journey and does not determine alternate locations with different routes. Moreover, claim 44 is distinguishable from Ahlstrom et al. because the reference does not disclose, among other things, a report including a savings value for each alternate itinerary reflecting a difference between a value associated with an itinerary included in a user request and a value for the respective alternate itinerary. As explained, Ahlstrom et al. presents alternative

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flights/fares for city pairs that may include score values computed for each alternative flight/fare.

Ahlstrom et al. does not, however, teach a savings value as recited in claim 44. Because Ahlstrom et al. does not teach the recitations of claim 44, Applicants request that the rejection of this claim under 35 U.S.C. § 102(b) be withdrawn and the claim allowed.

Claims 45 and 48 depend from claim 44. As explained, claim 44 is distinguishable from Ahlstrom et al. Accordingly, claims 45 and 48 are also distinguishable from Ahlstrom et al. and Applicants request that the rejection of these claims under 35 U.S.C. § 102(b) be withdrawn and the claims allowed.

Claim 50 includes recitations similar to that of claim 44. As explained, claim 44 is distinguishable from Ahlstrom et al. Accordingly, claim 50 is also distinguishable from Ahlstrom et al. Further, claim 50 is also deemed patentable over Ahlstrom et al. because the reference does not teach or even suggest providing a report to a user such that the user may visually inspect a map including a graphical representation of the route between the origination and destination locations and the alternate routes, and a travel cost for each route. The Examiner argued that Ahlstrom et al. teaches the above mentioned recitations because the reference provides a report of sorted information. Applicants disagree. Ahlstrom et al. does not generate or provide a map that includes any graphical representations. The report generated by Ahlstrom et al. merely includes score values associated with alternate flight/fares for city pairs included in a journey specified by a user. Because Ahlstrom et al. does not teach the recitations of claim 50, Applicants request that the rejection of this claim under 35 U.S.C. § 102(b) be withdrawn and the claim allowed.

Regarding claim 10, the Examiner rejected this claim using language similar, and in some instances identical, to the language included in the rejection presented in the Final Office Action

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dated July 3, 2001 (see Final Office Action, paper no. 11, page 8, line 20 to page 10, line 4). The Examiner did not address the arguments associated with claim 10 presented by Applicants in the Preliminary Amendment filed March 26, 2002 (see Preliminary Amendment filed March 26, 2002, page 14, line 17 to page 15, line 22). Accordingly, Applicants reiterate the arguments presented in the March 26, 2002 Preliminary Amendment (which are restated below), and request that the Examiner address them and the recitations of claim 10.

Regarding claim 10, the Examiner argued that DeLorme et al. teaches discount offers, that “are pre-negotiated packages by their very definition. The recitation of ‘attractions, events, and seasonal activities’ are also broad enough in scope to encompass pre-negotiated travel packages” (see Advisory Action, page 3, lines 1-7). Applicants respectfully disagree.

Contrary to the assertion by the Examiner, a “discount offer” is not by definition a pre-negotiated package. A pre-negotiated package requires a negotiation, which is an act or process of conferring with another or others in order to come to terms or reach an agreement (see American Heritage College Dictionary, definitions for “negotiate” and “negotiation”). for example, a pre-negotiated package may reflect packages for travel, lodging, etc., that are pre-negotiated with service providers (e.g., four nights in the New York Hilton and airfare for \$500). A discount offer, on the other hand, may be unilateral. That is, an entity may provide a discount offer without ever conferring, discussing, or negotiating, with another entity. Accordingly, Applicants request that the Examiner provide evidence that shows DeLorme et al. suggests or teaches a negotiation between a provider of travel resources to provide a “discount offer.”

Absent such showing, Applicants request the allowance of claim 10.

Further, Applicants submit that the Examiner’s position that “[t]he recitation of ‘attractions, events, and seasonal activities’ are also broad enough in scope to encompass pre-

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negotiated travel packages” is misguided. A claim recitation cannot be rejected under Sections 102 or 103 based on a teaching that is broader than the claim recitation. In fact, rejecting a claim under either Section 102 or 103 requires just the opposite. A claim recitation requires a reference to teach or suggest that narrow claim recitation. The Examiner cannot argue that a reference is so broad that it teaches a claim recitation. For example, a claim recitation that includes a computer system that is powered by a 12V DC battery cannot be anticipated by a reference that simply teaches a computer system with a power supply. The recitations “12V DC battery” is explicitly required in the claim, thus the reference must include a teaching of the same. Accordingly, the breadth of “attractions, events, and seasonal activities” taught by DeLorme et al. does not anticipate or suggest pre-configured packages based on prior negotiations with providers of travel resources, as recited in claim 10. Accordingly, Applicants request the reconsideration and allowance of claim 10.

Claims 21 and 32 include recitations similar to those recited in claim 10. As explained, claim 10 is distinguishable over Ahlstrom et al. and DeLorme et al. Accordingly, claims 21 and 32 are also distinguishable over these references for at least the same reasons set forth for claim 10 and Applicants request that the rejection of these claims under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Claims 3-8, 14-19, and 25-30 depend from claims 1, 12, and 23, respectively. As explained, claims 1, 12, and 23 are distinguishable from at least Ahlstrom et al. Accordingly, claims 3-8, 14-19, and 23 are also deemed patentable over Ahlstrom et al. and Applicants request that the rejection of these claims under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Claims 46 and 47 depend from claim 44. As explained, claim 44 is distinguishable from at least Ahlstrom et al. Accordingly, claims 46 and 47 are also distinguishable from Ahlstrom et

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al. Further, claim 47 includes recitations similar to those of claim 10 (e.g., pre-configured travel packages). As explained, claim 10 is also distinguishable from at least Ahlstrom et al.

Therefore, claim 47 is deemed allowable for at least the same reasons set forth for claim 10.

Accordingly, Applicants request that the rejection of claims 46 and 47 under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Claim 49 includes recitations similar to that of claim 44 (e.g., determining a set of alternate itineraries). As explained, claim 44 is distinguishable from Ahlstrom et al. Accordingly, claim 49 is also deemed patentable over Ahlstrom et al. for at least the same reasons set forth for claim 44. Further, claim 49 is distinguishable from Ahlstrom et al. and DeLorme et al. because these references do not teach or suggest a geographical map that contains graphical representations of the origination, destination, and alternate locations and paths between the respective locations. The Examiner asserts that DeLorme et al. teaches the above mentioned recitations because the reference uses geographical ranges with coordinates that are used to evaluate travel routes and itineraries. Although DeLorme et al. may use coordinate values, the reference does not in any interpretation teach a geographical map that contains the graphical representations recited in claim 49. Further, the Examiner failed to present a prima facie case of obviousness in rejecting claim 49. For example, the Examiner's reasons for combining DeLorme et al. with Ahlstrom et al. do not refer to a geographical map as recited in the claim much less show motivation in the references that would allow one skilled in the art to combine the teachings of DeLorme et al. with Ahlstrom et al. to render claim 49 obvious (see Office Action, paper no. 18, page 14, lines 1-6). Because Ahlstrom et al. and DeLorme et al., alone or in combination, do not teach or suggest the recitations of claim 49, and Applicants

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request that the rejection of this claim under 35 U.S.C. § 103(a) be withdrawn and the claim allowed.

Regarding claim 51, the Examiner argued that DeLorme et al. teaches a map display that includes symbols, text, or tables indicating price information. Applicants disagree. DeLorme et al. teaches providing a list of locations with accessory information associated with the locations. DeLorme et al. does not teach providing a travel cost for each of a plurality of routes adjacent to the routes on a map. Because DeLorme et al. and Ahlstrom et al., alone or in combination, fail to teach or suggest the recitations of claim 51, Applicants respectfully request that the rejection of this claim under 35 U.S.C. § 103(a) be withdrawn and the claim allowed.

Regarding claim 11, the Examiner rejected this claim using language similar, and in some instances identical, to the language included in the rejection presented in the Office Action dated January 24, 2001 (see Final Office Action, paper no. 11, page 15, line 10 to page 16, line 9; and Office Action, paper no. 8, page 11, line 5, to page 12, line 3). The Examiner did not address the arguments associated with claim 11 presented by Applicants in the Preliminary Amendment filed March 26, 2002 (see Preliminary Amendment filed March 26, 2002, page 16, lines 11-19). Accordingly, Applicants reiterate the arguments presented in the March 26, 2002 Preliminary Amendment (which are restated below), and request that the Examiner address them and the recitations of claim 11.

Regarding claim 11, Ahlstrom et al., DeLorme et al., and Walker et al., alone or in combination, fail to teach, among other things, a process that allows a value of a travel itinerary specified in a user request and the values for determined alternative itineraries to be **reconfigured** based on responses from a price to beat request. The scores associated with a travel path, taught by any of the references, are never reconfigured based on values provided by

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travel providers. Further, Ahlstrom et al., DeLorme et al., and Walker et al., alone or in combination, fail to teach or suggest, among other things, providing a report including an indication of the reconfigured values of the travel itinerary and the alternative itineraries.

Accordingly, Applicants request the reconsideration and allowance of claim 11.

Based on the above arguments, Applicants request that the rejection of claim 11 under 35 U.S.C. § 103(a) be withdrawn and the claim allowed.

Claims 22, 33, 34, and 39 include recitations similar to those included in claim 11. As explained, claim 11 is distinguishable from Ahlstrom et al., DeLorme et al., and Walker et al. Accordingly, claims 22, 33, 34, and 39 are also distinguishable from these references and Applicants request that the rejection of these claims under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Claims 40 and 41-42 depend from claims 22 and 34, respectively. As explained, claims 22 and 34 are distinguishable from Ahlstrom et al., DeLorme et al., and Walker et al. Accordingly, claims 40-42 are also distinguishable from these references and Applicants request that the rejection of these claims under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

In view of the foregoing remarks, Applicants submit that this claimed invention is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request reconsideration and reexamination of the application, and the timely allowance of the pending claims.

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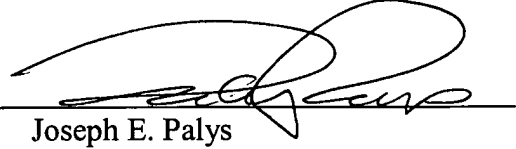
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Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: July 23, 2002

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